

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52711 of 2021

Arising Out of PS. Case No.-68 Year-2021 Thana- UCHKAGAON District- Gopalganj

1. Goldi Kumari D/O Faudi Singh Resident Of Village- Luhasi, P.S- Uchakagaon, Dist- Gopalganj
2. Faudi Singh Son Of Late Nihora Singh Resident Of Village- Luhasi, P.S- Uchakagaon, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-11-2021 Learned counsel for the petitioner seeks permission of the Court to withdraw this application in respect of petitioner no. 2 as he has been taken into judicial custody.

Permission is accorded.

The application is dismissed as withdrawn in respect of petitioner no. 2.

Heard learned counsel for the petitioner no. 1 and learned APP for the State.

As prayed, learned counsel for petitioner no. 1 is permitted to make necessary correction in paragraph no. 3 of the application in course of the day.

Learned counsel for the petitioner no. 1 is directed to



remove the defects, as pointed out by the Office, within a period of eight weeks.

The petitioner no. 1 is apprehending her arrest in a case registered under Sections 341, 323, 324, 307, 504, 506 and 34 of the Indian Penal Code.

The prosecution allegation, in short, is that the accused persons assaulted the husband of the informant due to which he sustained injuries.

It has been submitted on behalf of the petitioner no. 1 that she has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner no. 1. The petitioner no. 1 has falsely been implicated in the present case. There is a case and counter case between the parties. A free fight is alleged to have taken place. The injury on the accused side has not been explained by the prosecution. The petitioner no. 1 is a lady. The prosecution has not come with clean hands. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out.

On behalf of the State, it is submitted that the petitioner no. 1 is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner no. 1, above named, in the event of



arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -IX, Gopalganj in connection with Uchkagaon P.S. Case No. 68/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

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